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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

2009 AUG 17 P 4:01

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF
JOHNSON UTILITIES, L.L.C., DBA JOHNSON
UTILITIES COMPANY FOR AN INCREASE IN
ITS WATER AND WASTEWATER RATES FOR
CUSTOMERS WITHIN PINAL COUNTY,
ARIZONA.

DOCKET NO. WS-02987A-08-0180

MOTION FOR DATE CERTAIN

1 Swing First Golf LLC ("Swing First") moves for an order setting a date and time certain
2 to hear the direct Testimony of David Ashton in the above-captioned proceeding.

3 Hearings in this case are scheduled to resume on September 21, 2009. The
4 Commission's September Open Meeting is scheduled for September 22 and 23, 2009. Mr.
5 Ashton currently lives and works in Europe and is the father of four school-aged children. So
6 that Mr. Ashton can purchase a lower-cost plane ticket in advance, take advantage of weekend
7 travel, and not miss too much work or family duties, Swing First asks that the Administrative
8 Law Judge set a date and time certain for Mr. Ashton to testify of Thursday September 24,
9 continuing if necessary to Friday, September 25.

10 Counsel asked other counsel in the case about this request. No party objected. To be
11 clear, Mr. Crockett's complete e-mailed response follows:

12 JU has no objection to the request for a date certain for Mr. Ashton beginning on
13 September 24, 2009. I assume he will be available until you have completed your
14 direct examination and the other parties have completed their respective cross
15 examinations.

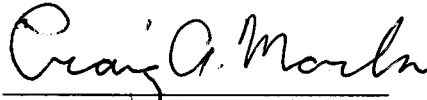
Arizona Corporation Commission

DOCKETED

AUG 17 2009

DOCKETED BY

1 RESPECTFULLY SUBMITTED on August 14, 2008.
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13 Attorney for Swing First Golf LLC
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15 **Original** and 13 copies **mailed**
16 on August 14, 2009, to:
17

18 Docket Control
19 Arizona Corporation Commission
20 1200 West Washington
21 Phoenix, Arizona 85007
22

23 **Copy** of the foregoing **mailed and e-mailed**
24 on August 14, 2009, to:
25

Steve Olea
Directory, Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

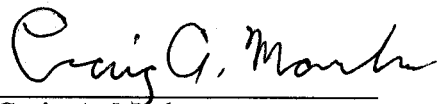
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32 Craig A. Marks